

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

PARAMOUNT PICTURES  
CORPORATION, et al.,

Plaintiffs,

v.

JOHN DOE,

Defendant.

Case No.: C 09-80015 JW (PVT)

**ORDER DENYING REQUEST FOR  
CIVIL SUBPOENA WITHOUT  
PREJUDICE TO PLAINTIFFS FILING  
A RENEWED REQUEST ALONG  
WITH A PROPER SUBPOENA**

On February 9, 2009, Plaintiffs filed a Request to Issue Civil Subpoena Pursuant to 17 U.S.C. § 512(h). Based on the request and declaration submitted,

IT IS HEREBY ORDERED that Plaintiffs' request is DENIED without prejudice to Plaintiffs submitting a renewed request along with a proper subpoena. The proposed subpoena submitted by Plaintiffs improperly calls for a company in this district to produce documents in a different district. The proposed subpoena is also signed by Plaintiffs' counsel. Section 512(h) provides that, if a request is properly supported and the subpoena is in proper form, the "the clerk shall expeditiously issue and sign the proposed subpoena." See 17 U.S.C. § 512(h)(4) (emphasis added).

IT IS FURTHER ORDERED that this order is without prejudice to Plaintiffs filing a renewed request along with a subpoena in proper form.

Dated: 2/12/09

  
PATRICIA V. TRUMBULL  
United States Magistrate Judge